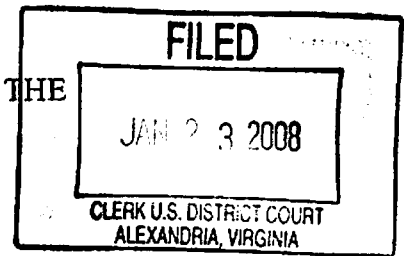


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



UNITED STATES OF AMERICA

v.

TIMOTHY LYNN BRUMIT
a/k/a "Charmingtim75,"

Defendant.

1:08MJ 47

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Chad J. Gallagher, a Special Agent with the Federal Bureau of Investigation (FBI), Washington Field Division, Washington, D.C., being duly sworn, depose and state as follows, to wit:

1. Your Affiant has been employed as a Special Agent of the FBI since July of 2004, and is currently assigned to the Washington Field Office, Northern Virginia Resident Agency. Since joining the FBI, I have investigated violations of federal law in the sexual exploitation of children, and am currently investigating federal violations concerning child pornography and the sexual exploitation of children. I have gained experience through training in classes, and everyday work related to conducting these types of investigations.

2. As a federal agent, your Affiant is authorized to investigate violations of laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Timothy Lynn Brumit, of Aiken, South Carolina, with violating Title 18, United States

Code, Section 2422(b), Enticement and Coercion of a Minor, and Title 18, United States Code, Section 2252A(a)(1), Transportation of Child Pornography.

3. For the reasons set forth below, I respectfully submit that this affidavit contains ample probable cause to believe that Timothy Lynn Brumit knowingly transported child pornography via the Internet to a person whom he believed to be a 13-year-old boy, and attempted to persuade, induce, entice, or coerce any individual who has not attained the age of 18 years to engage in any sexual activity for which he can be charged with a criminal offense, in violation of 18 U.S.C. § 2422(b). The predicate criminal offenses for the violation of Section 2422(b) include, but are not limited to: Va. Code § 18.2-63 (unlawful carnal knowledge of a child between the ages of 13 and 15 years old); Va. Code § 18.2-370 (Taking Indecent Liberties with Children); 18 U.S.C. § 2252A(a)(1) (Transportation of Child Pornography); and 18 U.S.C. § 2252A(a)(2) (Distribution of Child Pornography).

4. The statements contained in this Affidavit are based on my experience and background as a Special Agent and on information provided by other law enforcement agents. I have not set forth every fact resulting from the investigation; rather, I have included only that information necessary to establish probable cause to charge and arrest Timothy Lynn Brumit for violating Title 18, United States Code, Section 2422(b), Enticement and Coercion of a Minor, and Title 18, United States Code, Section 2252A(a)(1), Transportation of Child Pornography.

GOOGLE "HELLO" PROGRAM

5. Google's "Hello" software program is a new internet service that enables users to trade image files easily, quickly, and relatively securely. The Hello program lets traders connect directly (peer-to-peer) to each other's computers specifically for the purpose of sharing pictures.

Movie files may also be shared. Since the connection is peer-to-peer, there is no limit to the number and size of files that may be shared. Once a connection is created, the individuals simply select the files they wish to share. This may be an individual picture or video, or a folder containing thousands of pictures. While connected, the individuals may also engage in chat conversations. Thus, users can share pictures or videos and chat about them in real time as the images appear on their computer monitors. All pictures and chat are encrypted during the transmission by the software. This overcomes the traditional limitation of peer-to-peer software by facilitating both live chat and exchange of large volumes of files simultaneously.

6. Information contained within the “How it works” section of the Hello website describes the Hello computer program in part as follows:

“Hello is a new program that lets you connect directly with your friends to share your digital pictures. If you’ve used an instant messenger program before, you’ve already got the idea. Hello is special because it lets you share pictures along with your messages.”

“Hello is designed to let you send high-quality pictures instantly and securely over any speed connection, even dial-up. With Hello, you can send hundreds of high quality pictures to your friends in just seconds - you can’t do that with email.”

“When you share pictures with Hello, you get feedback from your friends right away. Also, Hello automatically encrypts all your pictures and chat before sending, so it’s safer and more secure than email.”

“When you use Hello to share pictures they arrive on your friend’s screen immediately, without the hassle of uploading them to public websites. Your friends can download print quality copies of their favorite pictures to print right at home, which most “picture sharing” websites won’t let you do.”

7. Information contained within the “Security Information” section of the Hello website, under the header “How this program protects your information,” further describes the Hello computer program in part as follows:

“Hello is a peer-to-peer program (p2p). This means that your computer is directly connected with other computers (similar to how popular file trading programs work). However, you will only be connected with the people you approve: you grant authorization to only the users you choose. No one can get your pictures without your permission.”

“Like email, any pictures that you have shared in Hello can be saved and forwarded by the people you share them with.”

“You connect with our servers during login and during chat sessions. After you’ve successfully shared an image with someone, you are directly connected to that person for the rest of your session together.”

“Hello protects you from viruses by automatically confirming that all JPG files are valid pictures before allowing them to be traded.”

8. To use the Hello program, a user must have access to a computer that communicates through a modem connected to a telephone line or other high-speed telecommunications, with the central computer system operated by Google. A user must then download and install the Hello program. During the download and installation process, the user must first set up their account via the “Hello” website. The user is asked to create the following information: User name or “handle,” email address and password. The user is then given access to download the installation file. Google sends a verification email to the email address provided during the registration. The user is instructed to open the email and click on an embedded link to verify the email address. Google stores this information on their servers in Mountain View, California. Each account will also have a unique User Identification number (UID) assigned by the Hello software.

9. Once the software is installed, each user may access the “Options and Preferences” section of the software and review or change any preferences that were selected during installation. Some of these options include: Remember my password; automatically log

in; launch Hello when windows starts; save chat to history; automatically save all received pictures and location (the full file path where Hello automatically saves all received pictures). All the above preferences are automatically selected during install unless the user manually unselects an individual preference.

10. After a computer user downloads and installs the Hello application on his computer, the Hello program creates a series of directories on the hard drive of the computer. These directories and their structure on the computer are used for organizing, recording and maintaining chat records, shared images, "friends lists" and "thumbnails" or reduced versions of the images that were transmitted or received. Each time the user joins a chat with another Hello user, the directory structure grows to accommodate the records of the chats with each new user. On newer computers that utilize the Microsoft Windows 2000 or Windows XP operating systems, these directories by default are found within the computer user's Documents and Settings directory.

DETAILS OF INVESTIGATION

11. On or about January 2, 2008, at approximately 4:55 p.m., an undercover officer from the Dumfries Police Department ("UC-1"), in Dumfries, Virginia, entered an Internet chat room entitled "Guilty Groups." UC-1 was posing as 13-year-old boy. UC-1 used a screen name and email address that suggested he was a minor boy. Because UC-1 is using those items in other pending, online investigations, this affidavit will refer to his screen name as "UC-1."

12. UC-1 was contacted by "charmingtim75," another user in the Guilty Groups chat room. Charmingtim75 stated that he was a 24-year-old male, who lived near Charlotte, North Carolina and who taught high school English.

13. UC-1 and Charmingtim75 logged onto Google Hello, an internet service provided by Google that allows users to share images and videos while chatting in real time.

14. Identifying data from the Google Hello software revealed that the username "charmingtim75" was associated with an account that contained the following additional information:

Friend User ID: 3563644
Email: trumbit@gforcecable.com

15. Law enforcement agents have learned that "gforcecable" is an internet service provider owned or controlled by Atlantic Broadband, Inc. In response to an administrative subpoena, Atlantic Broadband, Inc. informed law enforcement agents that the email account "tbrumit@gforcecable.com" is assigned to the high-speed cable internet account of Timothy Brumit, of Aiken, South Carolina. Atlantic Broadband also provided Brumit's residential address and phone number.

16. Soon after this initial Google Hello session began, charmingtim75 asked UC-1 if he was gay, and told UC-1 that he was a homosexual with a sexual interest in underage boys. Charmingtim75 also told UC-1 that he had "done it" with boys. When UC-1 asked charmingtim75 if he had "done stuff wit boys," charmingtim75 responded: "when I was a boyn yes and now."¹

17. Charmingtim75 next asked UC-1 if he had "pics of you you will let me see." After UC-1 responded that his pictures were on another (his mom's) computer, charmingtim75 responded by asking "so do you have a web cam?"

¹ The instant message chats conducted in Google Hello and quoted throughout this affidavit are copied verbatim with all spelling, punctuation and grammar as captured on the computer monitor of UC-1.

18. Charmingtim75 also told UC -1 that he had pictures and videos of underage boys engaged in sexual conduct. Charmingtim75 said that the boys were “[UC-1’s] age and younger.” Charmingtim75 also wrote that he would get them by “trad[ing] with boys on here they web cam and jerk off for me then I send them videos very hot.” While making these statements, charmingtim75 continued to repeatedly ask UC-1 if he had a web cam.

19. Charmingtim75 also asked “are you really 13?” Shortly after UC-1 responded “yes,” charmingtim75 wrote back: “can you send me a pic of you to look at.” UC-1 then sent, via Google Hello, an image of another law enforcement officer pictured at approximately age thirteen. The picture shows a boy from the chest up, wearing a button down shirt. It resembles a school picture.

20. Charmingtim75 then transmitted a picture of himself to UC-1, and asked “you like my blonde hair?” Charmingtim75 then wrote: “I would love to call you and let you call me sometimes if you like I live alone.”

21. After UC-1 told him that his mother took his cell phone away, charmingtim75 wrote back: “You know what you could do []??? . . . Go like like walmart and buy a calling card it is a 1-800 number then you could call me on prepaid card.”

22. Charmingtim75 also told UC-1 “I ama very popular teacher kids say I am kewl.” Charmingtim75 also claimed that he had coached soccer and was in the Boy Scouts. He also wrote: “kids really love me.”

23. UC-1 told charmingtim75 that he lived in Stafford, Virginia, “near Quantico.”

24. Also in the initial chat, charmingtim75 wrote that his full name is “Timothy Lynn Brumit.” Charmingtim75 also wrote that he lived “on a large estate and I have a swimming pool

and tennis court and hot tub.” He also wrote that he had “a pool table and a Juke Box,” and that he knew the Jonas Brothers “personally.”

25. Toward the end of the initial chat, charmingtim75 wrote: “I told you [] boys love me I am kewl;” “they love to come over a lot;” “get naked and get in the hot tub.” If he and UC-1 were together, charmingtim75 said he would “rub you all over and make you feel so good.”

26. The initial chat ended at approximately 6:20 p.m., when UC-1 told charmingtim75 that he had to go to dinner.

27. At approximately 8:04 p.m. on January 2, 2008, UC-1 was contacted by charmingtim75 on Yahoo’s instant messenger. Charmingtim75’s Yahoo user name is “tbrumit60.”

28. In response to an administrative subpoena, Yahoo, Inc. informed law enforcement agents that the user name “tbrumit60” is registered to “Timothy Lynn Brumit,” at the same residential address and phone number provided to law enforcement agents by Atlantic Broadband – Brumit’s internet service provider.

29. During that Yahoo chat, tbrumit60 attempted to transmit to UC-1 three files containing depictions of minor boys engaged in sexual activity. The transmissions failed for technical reasons.

30. Tbrumit60 then instructed UC-1 to begin another Google Hello session. This second Google Hello session began at approximately 8:11 p.m., on January 2, 2008. Charmingtim75 told UC-1 that he was going to transmit pictures of boys engaged in sexual acts.

First, though, he asked UC-1: “are you in your room or where?” and “do you delete these after you look” and “does your mom know your hello account password?”

31. Charmingtim75 then proceeded to transmit to UC-1 approximately 40 images of minor and prepubescent boys engaged in sex acts with other boys and men. As he transmitted the images – generally one at a time or in small groups – charmingtim75 instructed UC-1 to remove his clothes and to masturbate while the two of them viewed and talked about the images. Charmingtim75 wrote, among other things, “I want to see you naked;” “I jerked off to your pic while you went to dinner;” “I like boys small [] I bet you smell so good down there;” “ I have done it with boys w/o hair down there.” Also during the session, charmingtim75 wrote: “are you hard;” and “are you pulling on it?” and “let me know when you cum ok” and “make it cum for your Tim.”

32. The files that charmingtim75 transmitted to UC-1 included the following:

“6755246BWP” -- underage boy performing oral sex on a prepubescent boy

“Mac_52a” -- prepubescent boy with an erect penis

“!5-3” -- prepubescent boy with an erected penis with an adult hand touching his penis

33. As the session wrapped up, the topic of UC-1’s mother came up. Charmingtim75 wrote “wouldn’t it be nice if your mom and I got together then you and I could be together all the time.” He also asked: “what kind of work does she do.” UC-1 responded: “she works for govt usmc I not 2 sure I no she does work at home all time . . . she got ts clerence so I not sure.” Charmingtim75 immediately wrote back: “You make sure you delete all this sstuff off of here.”

34. Charmingtim75 also asked, “you born in 1993?” and “when is your b-day.” UC-1 responded that his birthday was October 22, 1994. The chat concluded at about 9:25 p.m.

35. On January 3, 2008, at approximately 5:26 p.m., charmingtim75 initiated another Google Hello session with UC-1. Charmingtim75 told UC-1 that he had thought about him “a lot today,” and that he “wish[ed] [he] could tell [his] students that [he has] the sweetest boy now.” Charmingtim75 also wrote that he currently teaches juniors and seniors, but “used to teach Middle School.” Charmingtim75 also claimed that he had written a poem about UC-1 after their last Google Hello session, which he entitled “Boy of My Dreams.” UC-1 then told charmingtim75 that he had to go eat dinner, but they planned to “talk” again later that evening.

36. At approximately 7:28 p.m., on January 3, 2008, charmingtim75 used his Yahoo instant message account to contact UC-1. Again using the username “tbrumit60,” charmingtim75 attempted to send a number of images of boys engaged in sex acts to UC-1. The transmissions failed. Tbrumit60 also displayed a picture of himself in his Yahoo messenger window. The picture depicted a middle-aged man with blond hair. He is wearing glasses, a dark suit jacket, a white dress shirt and a red tie.

37. Based on comparisons done by law enforcement agents, the person depicted in the image that charmingtim75/tbrumit60 sent to UC-1 closely resembles the person depicted in a DMV record photograph of Timothy Lynn Brumit, of the same residential address provided to law enforcement agents by Atlantic Broadband, Inc. and Yahoo, Inc.

38. Charmingtim75 and UC-1 then resumed their Google Hello session around 8:15 p.m. on January 3, 2008. During this chat, Charmingtim75 transmitted approximately 55 images of nude, young boys engaged in various sexual acts and positions. As he transmitted the images, charmingtim75 masturbated and instructed UC-1 to masturbate. During the session,

charmingtim75 wrote: "nothing would make me happier than to make love to you tonight." At the end of the session, charmingtim75 wrote: "ok bye bye delete these ok."

39. On January 4, 2008, at approximately 6:22 p.m., charmingtim75 contacted UC-1 again via Google Hello. Charmingtim75 told UC-1 that "I always need YOU to contact me first so I knew it is you." Charmingtim75 then asked UC-1 to "send [him] some pics first," and stated that "It will help me a lot if I can see you on a webcam pulling uyour sweet little dick for me do you understand that?"

40. Charmingtim75 also noted that he had "boy videos." To that point in the online communications, charmingtim75 had only transmitted still images to UC-1. Charmingtim75 said that he would transmit "boy videos" "as soon as you let me see your body naked on cam or pics" and that "all you got to do is get me naked pics or web cam of YOU."

41. Charmingtim75 then instructed UC-1 as follows: "I want you to take off all your clothes ok and tell me item by item ok." After UC-1 tells him he is naked, Charmingtim75 wrote: "ok sit down and pull on it for me it belongs to me now it is not yours anymore." Charmingtim75 asks "who does your body belong to." After UC-1 wrote back "you tim," charmingtim75 wrote "good now you will get a reward ok." Charmingtim75 then transmitted about 24 files containing images of underage boys engaged in sexual acts. These files included:

"kts048" -- boy performing oral sex on a prepubescent boy

"kts115" -- boy performing oral sex on a prepubescent boy

"EXT 275" -- prepubescent boy sitting on a bed with an erected penis

42. During this session, charmingtim75 also wrote "if you and I were together I can find young boys for you to do it with." He added "all I would ask is you must always be willing

to do it with me first.” He asked, “what if you and I did a boy together” – a boy “your age or a little younger if you wanted to.” He stated, “I know a lot of boys.” The session ended at about 7:47 p.m.

43. On January 5, 2008, at approximately 7:28 p.m., charmingtim75 and UC-1 began another Google Hello session. Charmingtim75 asked, “so do you want a video to look at tonight . . . a video of boys.” Charmingtim75 also explained to UC-1 how to download and then play the video after charmingtim75 transmitted it through Google Hello. Charmingtim75 wrote: “they will load in your My Documents file you will have to go to the file and open it then you will find a folder with my user name on it you will open the file and click on the icon to see vid.” Until this point, Charmingtim75 had transmitted only still images of child pornography. The chat continued:

Charmingtim75: you think you can do it?

UC-1: think so yea

Charmingtim75: you have never seen a boy video

UC-1: no

....

Charmingtim75: ok accept it [the file that has been transmitted]

UC-1: ok

Charmingtim75: see the numbers in black at bottom of your screen

UC-1: yea

Charmingtim75: it is loading

Charmingtim75: you must wait until it loads

UC-1: will it tell me when it done

Charmingtim75: yes and I will also does your comp have speakers

UC-1: yea but they not work all time

Charmingtim75: cuth them down low b/c this video has sound of boy sucking a mans dick

UC-1: dat u n me

Charmingtim75: yes now minimize the hello screen and go to My Documents and open up hello folder then you will see my name open it and click on video

44. As the chat continued, charmingtim75 transmitted a number of videos of boys engaged in sexual acts to UC-1. As these videos displayed on their computer monitors, charmingtim75 typed that he was masturbating, and he instructed UC-1 to masturbate to the videos.

45. After he finished masturbating, charmingtim75 wrote that "I am in luv with [UC-1] . . . you are my little man now." Charmingtim75 cautioned though:

Charmingtim75: [UC-1] you will need to delete those movies from the files ok.

UC-1: ok

UC-1: hang on

Charmingtim75: delete my name and file as well as the hello file.

46. Later in the chat, charmingtim75 asked again: "you really 13 [UC-1]?" UC-1 responded "yes." Turning the discussion back to UC-1's mother, charmingtim75 wrote: "if she thought I was dating her who knows but even if she and I dated you would still be my number one."

47. Also in that chat, charmingtim75 told UC-1 that his school lets out at 3:20 and that he gets home from school at about 4:30 p.m.

48. Before the chat ended, charmingtim75 transmitted a number of additional videos of boys engaged in oral and anal sex with men to UC-1. As he did so, he again instructed UC-1 to masturbate.

49. In total, charmingtim75 transmitted 11 videos of minor boys engaged in sexual acts to UC-1 on January 5, 2008. Included were the following:

“Mikael & Friend Suck Dad”-- two young prepubescent boys performing oral sex on what appears to be an adult.

“spongebob3” -- prepubescent boy masturbating

“119.1” -- prepubescent boy performing oral sex on an adult

50. On January 6, 2008, at approximately 7:18 p.m., charmingtim75 and UC-1 began another Google Hello session. During that session, charmingtim75 noted again that he gets home from his teaching job at 4:30 in the afternoon. They also chatted about charmingtim75’s green chevy truck that he promised to let UC-1 drive and “name.” He would do this to “show you that I really do love YOU.” He also promised “if you came to me everything I have would be yours sweetheart.”

51. On January 8, 2008, at approximately 6:46 p.m., charmingtim75 and UC-1 began another Google Hello session. During that session, charmingtim75 asked UC-1 if he could be his “dad” and his boyfriend. Charmingtim75 also transmitted 1 video of minor boy engaged in sexual acts to UC-1. As this video displayed in the Google Hello window, charmingtim75 wrote:

Charmingtim75: you know what will be so special

UC-1: wwa

UC-1: wat

Charmingtim75: to have you suck me real good then when I go inside your butt and you are laying under me with your legs apart you will be thinking I just sucked tim and now it is in me deep.

....

Charmingtim75: who does your dick belong to [UC-1]

52. On January 10, 2008, at approximately 6:34 p.m., charmingtim75 and UC-1 began another Google Hello session. During this session, charmingtim75 wrote that he lives alone in South Carolina, about 150 miles from Atlanta and about 20 miles from Augusta, Georgia.

53. Charmingtim75 then transmitted 2 videos of underage boys engaged in sexual acts with adult males to UC-1. These files included:

"v9.2" -- prepubescent boy laying on a bed with a grown adult male masturbating and performing oral sex on the boy

"[Ancas1,Anpemo1,Anto1+2,Car to1+2]_edit-VCD (pedo ga) -- prepubescent boy in a vehicle with a grown adult male. The boy is performing oral sex on the adult and the adult is masturbating the boy.

54. On Saturday, January 12, 2008, at approximately 11:30 a.m., charmingtim75 and UC-1 began another Google Hello session. This was the first session that was not conducted on a weekday evening after the time the charmingtim75 said he arrived home from school.

55. During that session, charmingtim75 transmitted 3 videos of minor boys engaged in sexual acts with adult males. He also instructed UC-1 to masturbate as they watched the videos.

56. Later in the chat, charmingtim75 asked UC-1 for his cell phone number, which UC-1 said would only ring to voicemail. By dialing the number, charmingtim75 would be able

to hear UC-1's voice. Charmingtim75 wrote that he was calling the number and he heard the voice. He stated: "You sound so sweet I am crying now you are adorable."

57. After the call, charmingtim75 asked UC-1 for the name and address of the school he attends. He also asked for the name of any parks that were close to UC-1's house. He said he was trying to determine how far apart they were on the website Mapquest.com. Charmingtim75 then asked UC-1 for his full address. After UC-1 complied, charmingtim75 provided his home address and telephone number. Charmingtim75 also wrote that "I am 17 miles from August, GA" and "160 miles from Atlanta, GA." He stated, "I live alone and I have an answering machine."

58. The home address and phone number that charmingtim75 provided to UC-1 match those of Timothy Lynn Brumit, as contained in the DMV records noted above; in the business records of Atlantic Broadband, which provides internet access to Brumit's residence; and in the business records of Yahoo, Inc., which provides internet services to Timothy Lynn Brumit.

59. A search on Mapquest.com confirmed that Brumit's home address is approximately 21 miles from Augusta, Georgia and 172 miles from Atlanta, Georgia.

60. Charmingtim75 then raised the prospect of traveling from Aiken, South Carolina to Stafford, Virginia to meet UC-1. He wrote "I could take off like on a Thursday and be there on a Friday morning for you."

61. Charmingtim75 also transmitted to UC-1 four images of what he claimed was his house and property in Aiken, South Carolina. He wrote that one of his houses has 19 rooms. He also showed UC-1 a picture of his loft and his "other house it has 10 rooms and a fireplace." He

also sent a picture of his “cottage,” which he claimed to rent out for \$725.00 per month.

Charmingtim75 also transmitted pictures of his “sports car” and his green chevy truck, which he referred to as “[UC-1’s] Truck.”

62. Charmingtim75 wrote: “[UC-1] the reason I am telling you this son one day I will no longer be alive and now I have no one to leave all of this to if you REALLY become my son and you move in with me one day darling I would leave all of this to you.” Charmingtim75 also claimed that the property is worth “3 Million dloors and value is going up every year!!!!!!!!”

63. Charmingtim75 also wrote: “[UC-1] do you realize that I make 75,000 a year we could travel and own whatever we wanted to own . . . go wherever we wanted to go and do whatever we decided together we wanted to do.”

64. Charmingtim75 then returned to talking about traveling from South Carolina to Virginia to meet UC-1. Charmingtim75 wrote: “so one long weekend when you can work it out for real and I mean no teasing me for real we could meet I will get us a motel room and we can get to know each other and make love my darling boy.” Charmingtim75 then asked UC-1 to mail him a strand of his hair and a napkin into which he instructed UC-1 to ejaculate. Charmingtim75 stated that he was willing to reciprocate by mailing the same things to UC-1.

65. The chat then turned to the subject of UC-1 communicating with other men on Google Hello or in chat rooms. Charmingtim75 told him not to do so. He also pointed out “the only guys I talk to are guys that I know will send me videos so I can send them to you my boy.”

66. Also in this chat, charmingtim75 stated that he taught at “Batesburg-Leesville High School,” which he said was about 33 miles “above Aiken.”

67. A search of the Batesburg-Leesville High School website indicates that "Rev. Tim Brumit" teaches "English 3 Honors."

68. On January 14, 2008, at approximately 4:36 p.m., charmingtim75 and UC-1 began another Google Hello session. Charmingtim75 wrote that he "just got home," indicating that he was communicating from a computer in his residence.

69. Charmingtim75 wrote that "dad is sick with a cold or something." Nonetheless, charmingtim75 asked "do you want a video or should we wait till later 2 night?" After UC-1 responded affirmatively, charmingtim75 transmitted a video of minor boy engaged in anal intercourse with an adult male. In the video, a prepubescent boy is sitting on what appears to be an adult male. The adult male has his penis inserted into the underage boy's anus. Charmingtim75 instructed UC-1 to masturbate as they watched the video on their respective computer screens. He wrote: "that is exactly how I am going to do you [UC-1] this is why you need to find a way for us to be 2 gether for REAL."

70. Charmingtim75 then discussed how they could meet. Charmingtim75 wrote that he would drive from South Carolina to Stafford, Virginia. UC-1 would tell his mother he was "spending the weekend with a friend then meet me somewhere where nobody would see you." Charmingtim75 continued: "I would drive us to another town get a romm and we eat meals in room and make love all weekend then I bring you back."

71. The chat continued as follows:

Charmingtim75: what do yo want from me do you want to meet me and make love for real or is this just internet fantasy

UC-1: no it 4 real I realy want b wit u ur the kewlst

Charmingtim75: you are too and I need to love your body just once to show you and to help us until maybe one day we are together 4 ever

UC-1: tanks dat b kewl

Charmingtim75: if I had just one weekend with you I could make it until you are my boy 4 ever

UC-1: kewl u tak me bac 2 sc wit u

Charmingtim75: no you know that is kidnapping

....

Charmingtim75: we would need to have every detail planned out and exact time and place to meet

UC-1: I tell mom I spendin nigt at scoot or justins

Charmingtim75: would she check up on it??

UC-1: ok

UC-1: she nevr does

Charmingtim75: [UC-1] are you deleting everything in your comp even these conversations on here

....

Charmingtim75: well you think about this idea a lot and I would have to leave like on a Thursday top get up there and know exactly where and when to meet you

....

Charmingtim75: does it excite you to think of us loving each other

UC-1: yup all time b honest

Charmingtim75: same here in 4 years you be 18 then you can come to me for real

72. This chat session ended at approximately 7:50 p.m. During the course of the chat, charmingtim75 transmitted 3 videos of child pornography to UC-1.

73. On Saturday, January 19, 2008, charmingtim75 engaged in two Google Hello sessions with UC-1. The first began at approximately 1:09 p.m. Aside from the Google Hello

session held on the afternoon of Saturday, January 12, 2008, this was the only other chat session held to that point that began before 4 p.m. In this first chat of the day, charmingtim75 again asked UC-1 to ejaculate into a napkin and mail it to him. Charmingtim75 again provided his home address. In response to UC-1's statement that he had a soccer game later that afternoon, charmingtim75 asked if he "want[ed] a video now," with the then-current time being "139." After asking whether UC-1's door was locked and his pants were off, charmingtim75 transmitted a video that charmingtim75 described as "5.95 MB," and "this is a boy with dick in his butt." Charmingtim75 also wrote: "i have 400 videos and 12,000 pics," which he had acquired over about "2 years."

74. Also during this chat, charmingtim75 raised the prospect of UC-1 taking a Greyhound bus from Stafford, Virginia to Aiken, South Carolina, where UC-1 could "live with me forever." Charmingtim75 also wrote: "you and I could even share a boy together if you would like." Charmingtim75 added: "i know them from about 8-18." UC-1 asked: "u done stuff wit them," to which charmingtim75 responded: "some before I met you."

75. At approximately 7:56 p.m. on January 19, 2008, Charmingtim75 began his second Google Hello session of the day with UC-1. In this session, charmingtim75 again transmitted videos of minor boys engaged in sexual acts with adult males. Charmingtim75 also talked about traveling to Virginia, renting a motel room and engaging in sexual conduct with UC-1 over the course of a weekend.

76. After UC-1 told him that he could take the local bus to a movie theater for free, charmingtim75 wrote: "OH kewl do you or your mom know anybody who works at theater." Charmingtim75 and UC-1 then discussed whether UC-1 was ready and willing to move in with

charmingtim75 in South Carolina. Charmingtim75 wrote: "If I thought you were really ready to leave your mom and come to me I would send you the bus fare Monday." Charmingtim75 also told UC-1 that he would have to destroy any evidence linking charmingtim75 to UC-1 if UC-1 were to run away from home to live with charmingtim75. In particular, charmingtim75 wrote: "you would have to get rid of that comp you are using before you could come here."

77. On Sunday, January 20, 2008, charmingtim75 and UC-1 engaged in three Google Hello sessions. In the first session, which began at approximately 2:08 p.m., charmingtim75 transmitted videos of minor boys engaged in sexually explicit conduct to UC-1. As to one video, charmingtim75 wrote: "I want you to see how deep this boy takes his dad down his throat." Toward the end of the first session, charmingtim75 returned to the subject of UC-1 running away to live with him in South Carolina:

Charmingtim75: you got a laptop or desk top comp

UC-1: lap top

Charmingtim75: good b/c if you come to me it has got to go

UC-1: wit me 2 ur house

UC-1: vid done

Charmingtim75: we will destroy it burn it up then I will get you a 3,000
one voice activated

78. The second Google Hello session of January 20, 2008 began at approximately 5:57 p.m. Charmingtim75 wrote that he was "just finding videos for you son" and "trading to get you things I think you will like." After asking if UC-1 was alone and had the door locked, charmingtim75 transmitted to UC-1 a video of a boy getting "his butt hole spanked for being bad LOL."

79. After this second session was interrupted for a short period, charmingtim75 and UC-1 began their third Google Hello session of January 20, at approximately 6:07 p.m. During this session, charmingtim75 wrote: "I stayed here pretty much all day getting you porn so guys wont hurt you I get it for you darling." After UC-1 asked "u trade wit lots ppl," charmingtim75 responded: "I used to but now I just trade with a few so they send me stuff I know you will like."

80. The conversation then returned to the subject of charmingtim75 and UC-1 meeting in person. After UC-1 told charmingtim75 that the Greyhound website states that passengers must be at least 15 years old if not accompanied by an adult, charmingtim75 responded: "well then when you are ready I will have to come to VA and you meet me some where." He added: "but you must not leave any sign behind about us" and "that comp has got to come with us . . . we will destroy it here." After they discussed scheduling their meeting for March 13, charmingtim75 wrote that he needed UC-1's social security number and that UC-1 would have to bring his social security number and birth certificate with him when they met. Charmingtim75 said that UC-1 would need his social security number and birth certificate "for school," and "for registration on a car," and "to buy things."

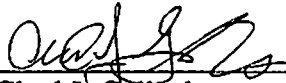
81. Later in the chat, charmingtim75 summarized the items that UC-1 would need to bring with him or do with regard to their rendezvous: "Social Security Number Birth Certificate do not leave my address or comp behind other than that just decide the safest place for me to meet you in March w/o anyone seeing you get in the truckl." He added: "you have to protect me [UC-1] so that there is NO trail to link you with me here."

82. Following the discussion of their rendezvous, charmingtim75 transmitted a "69 MB" video of "very hot boys" engaged in sexual acts. He wrote: "you will want to jerk off to this one," and "put it into a napkin for me baby." Charmingtim75 subsequently transmitted approximately 302 still images depicting boys engaged in sexually explicit conduct.

CONCLUSION

83. Based on the above information, there is probable cause to charge and arrest Timothy Lynn Brumit, of Aiken, South Carolina, with violating Title 18, United States Code, Section 2422(b), Enticement and Coercion of a Minor, and Title 18, United States Code, Section 2252A(a)(1), Transportation of Child Pornography.

Respectfully submitted,


Chad J. Gallagher
Special Agent, FBI

Subscribed and sworn
before me this 23rd of
January 2008

/s/Thomas Rawles Jones, Jr.
Thomas Rawles Jones, Jr.
United States Magistrate Judge